

## Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 COME-00 DODE-00 DOTE-00  
EB-08 FMC-01 INR-10 NSAE-00 CG-00 DLOS-09 OES-07  
AID-05 CEA-01 FRB-03 SP-02 STR-07 TRSE-00 LAB-04  
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FM AMEMBASSY BRUSSELS  
TO SECSTATE WASHDC PRIORITY 5915  
AMEMBASSY PARIS PRIORITY

C O N F I D E N T I A L BRUSSELS 06834

USEEC

PARIS FOR USOECD

E.O. 11652: GDS  
TAGS: ETRN, EEC  
SUBJECT: REQUEST FOR DISCUSSION ON LINER SHIPPING DURING  
- OECD MARITIME TRANSPORT COMMITTEE MEETINGS

REF: EC A-17

JOHN PEARSON, DG VII, MARITIME TRANSPORT, CONTACTED MISSION  
OFFICER ABOUT THE POSSIBILITY OF REPRESENTATIVES OF THE EC  
COMMISSION AND DENMARK (IN ITS CAPACITY AS EC COUNCIL  
PRESIDENT) MEETING WITH RICHARD BANK AND THE U.S. DELEGA-  
TION TO DISCUSS INFORMALLY THE EC COMMISSION'S PROPOSAL FOR  
A COUNCIL REGULATION CONCERNING THE ACCESSION TO THE UN  
CONVENTION ON A CODE OF CONDUCT FOR LINER CONFERENCES (SEE  
REF) AT THE APRIL MEETING OF THE OECD MARITIME TRANSPORT  
COMMITTEE IN PARIS. THE FULL TEXT EXPLAINING THE PURPOSE  
OF THESE TALKS FOLLOWS. BEGIN TEXT:

THE EUROPEAN ECONOMIC COMMUNITY IS CURRENTLY ENGAGED ON AN  
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EXAMINATION OF POLICY FOR THE ORGANIZATION OF LINER SHIP-  
PING. IN PARTICULAR, IT IS ANXIOUS TO EVOLVE A COMMON  
COMMUNITY APPROACH TO THE UN CONVENTION ON A CODE OF CON-  
DUCT FOR LINER CONFERENCES. WITHIN THIS CONTEXT THE COM-  
MISSION OF THE EUROPEAN COMMUNITIES PROPOSED LAST DECEMBER  
THAT THE COMMUNITY'S COUNCIL OF MINISTERS SHOULD DECIDE  
THAT THE MEMBER STATES OF THE COMMUNITY SHOULD RATIFY THE

CODE CONVENTION, SUBJECT TO CERTAIN SPECIAL ARRANGEMENTS.

2. AMONG THESE ARRANGEMENTS, THE COMMISSION PROPOSED THAT WHERE A LINER CONFERENCE OPERATES A POOL OR A BERTHING, SAILING OR ANY OTHER FORM OF CARGO ALLOCATION AGREEMENT IN ACCORDANCE WITH ARTICLE 2 OF THE CODE CONVENTION, SHIPPING LINES FROM COMMUNITY MEMBER STATES SHOULD, UNLESS THEY AGREE OTHERWISE, DISTRIBUTE AMONG THEMSELVES BY AGREEMENT, AND BY THE APPLICATION OF COMMERCIAL PRINCIPLES, THE CARGO SHARES FALLING TO THEM UNDER ARTICLE 2. THIS COMMERCIAL DISTRIBUTION SHOULD IN PARTICULAR TAKE ACCOUNT OF:

- THE VOLUME OF CARGO CARRIED BY THE CONFERENCE AND GENERATED BY THE MEMBER STATES WHOSE TRADE IS SERVED BY THE CONFERENCE;

- PAST PERFORMANCE OF THE SHIPPING LINES IN THE TRADE CONCERNED;

- THE VOLUME OF CARGO CARRIED BY THE CONFERENCE AND SHIPPED THROUGH THE PORTS OF MEMBER STATES.

FOR COMMUNITY LINES IN CONFERENCES THIS COMMERCIAL APPROACH TO CARGO DISTRIBUTION WOULD REPLACE THE '40-40-20' APPROACH OF THE CODE.

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3. THE COMMISSION ALSO PROPOSED THAT CONTACT SHOULD BE ESTABLISHED WITH OECD MEMBER STATES OUTSIDE THE COMMUNITY, WITH A VIEW TO EXPLORING THE SCOPE FOR EXTENDING THIS PRINCIPLE OF CONTINUED COMMERCIAL CARGO SHARING TO OTHER OECD LINES IN TRADES BETWEEN OECD COUNTRIES AND TRADES BETWEEN OECD COUNTRIES AND THIRD COUNTRIES.

4. THE REPRESENTATIVES OF THE COMMISSION AND OF DENMARK (IN ITS CAPACITY AS CURRENT CHAIRMAN OF THE COMMUNITY'S COUNCIL OF MINISTERS) WOULD VERY MUCH WELCOME THE OPPORTUNITY OF DISCUSSING THIS MATTER INFORMALLY WITH REPRESENTATIVES OF OTHER OECD MEMBER STATES. IT IS SUGGESTED THAT THIS MIGHT BE DONE IN THE MARGIN OF THE APRIL MEETING OF THE OECD'S MARITIME TRANSPORT COMMITTEE IN PARIS. END TEXT.  
MORRIS

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NNN

## Message Attributes

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**Review Markings:**  
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